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U.S. PATENT & TRADEMARK OFFICE

#34/1/202

Attorney's Docket No.: ANDR/346/US

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

12/3/02

In re patent application of: Marc SABOURIN

Application No.: 08/907,687

Examiner: M. Alvo

Filing Date: August 8, 1997

Group Art Unit: 1731

For: Method of Pre-treating Lignocellulose Fiber Containing  
Material for the Pulp Making Process

Commissioner for Patents  
Washington, DC 20231

Sir:

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DEC - 2 2002  
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**SECOND NOTICE OF APPEAL FROM THE PRIMARY EXAMINER  
TO THE BOARD OF PATENT APPEALS AND INTERFERENCES**

Applicant hereby appeals to the Board from the rejection of all claims 2, 7, 23-27, 29, and 31-40 in the Official Action dated August 28, 2002. At least independent claim 31 stands twice rejected (1) by decision of the Primary Examiner, mailed October 11, 2001, finally rejecting claims 2, 7, 23-27, 29 and 31-38, (2) followed by the filing of a Request for Continued Examination (RCE) without substantive amendment of this claim, and rejection thereof in the Official action dated August 28, 2002.

**1. STATUS OF APPLICANT**

This application is on behalf of an enterprise other than a small entity.

**2. FEE FOR FILING NOTICE OF APPEAL**

Pursuant to 37 C.F.R. §1.17(e), the fee for filing the Notice of Appeal is

**Mailing Receipt**

I hereby certify that this correspondence is being deposited on the date given below with the United States Postal Service as first class mail in an envelope addressed to "Commissioner for Patents, Washington, DC 20231."

Date:

Nov. 21, 2002

  
L. James Ristas, Reg. No. 28,663

\* See fee for Appeal on paper # 26

\$320.00. A fee in the amount of \$320.00 was previously paid with the Notice of Appeal filed April 11, 2002. That appeal was withdrawn as a consequence of the filing of the RCE on June 10, 2002. Applicant requests that the previously paid fee be applied to the present Notice. If this is not possible, the Commissioner is authorized to charge Deposit Account No. 16-2563 per numbered paragraph 6, below.

Notice of Appeal fee due \$ 0.00

**3. EXTENSION OF TERM**

This Notice is being filed within three (3) months of the shortened statutory period for responding to the Official Action dated August 28, 2002. No extension appears necessary. If an extension of time is required, please consider this a petition therefor.

Extension fee due with this request \$ 0.00

**4. TOTAL FEE DUE**

The total fee due is:

Notice of Appeal fee \$0.00

**TOTAL FEE DUE \$ 0.00**

**5. FEE PAYMENT**

No payment is enclosed.

**6. FEE DEFICIENCY**

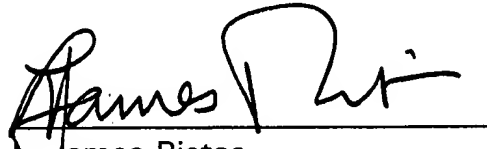
If any extension and/or other fee is required, charge Account No. 16-2563.

AND/OR

If any additional fee for claims<sup>1</sup> is required, charge Account No. 16-2563. A duplicate of this transmittal is attached.

Respectfully submitted,

Marc SABOURIN

A handwritten signature in black ink, appearing to read "James Ristas", is written over a horizontal line.

James Ristas  
Registration No. 28,663  
Alix, Yale & Ristas LLP  
Attorney for Applicant

Date: November 20, 2002  
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Our Ref: ANDR/346/US

LJR/ds

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